

Vehicle Use Policy

1. **Purpose:** This policy establishes procedures regarding the assignment of County vehicles, use of County vehicles, and business use of private vehicles.

For insurance and liability issues as well as good business practice, the County must document that all employees who drive vehicles on County business hold a valid driver's license, an acceptable driving record, and in cases where a personal vehicle is involved, proof of vehicle liability insurance on the vehicle being utilized for County business.

2. **Authority:** The Clinton County Board of Commissioners.
3. **Application:** This Policy applies to all County Employees, as defined below, who drive either as a required part of their position requirements, or as an incidental driver, unless otherwise noted within the policy.
4. **Responsibility:** The Board of Commissioners shall be responsible for the implementation of this policy. County Administration shall be responsible for administration of this policy, including approval of vehicle assignments.

5. **Definitions:**

- 5.1. **Assigned Vehicle:** A County-owned vehicle designated for use by a County department in the normal and effective performance of County business functions. An assignment may include authorization for overnight use.

- 5.2. **County Employee:**

- 5.2.1. Any regular full-time or part-time or temporary full-time or part-time employee, elected official, volunteer, or student 18 years of age or older enrolled in a college/university field of degree study that has voluntarily entered into a formal internship agreement signed by Clinton County, the participating college/university and internship student for the purpose of gaining work experience in his/her field.

- 5.2.2. If a student intern, in addition to the formal internship agreement referenced above, the student shall have signed Clinton County's *Intern Release and Waiver of Liability* form.

6. **Policy:**

- 6.1. **Assigned Vehicle**

- 6.1.1. Subject to this Policy, the following listed departments currently are authorized to possess and operate County-owned vehicles:

- 6.1.1.1. Building and Grounds Department
 - 6.1.1.2. Community Development Department
 - 6.1.1.3. Drain Commission Office
 - 6.1.1.4. Juvenile Court
 - 6.1.1.5. Parks and Green Space Department
 - 6.1.1.6. Sheriff Office
 - 6.1.1.7. Waste Management Department
- 6.1.2. Only County Employees age 18 or older on valid County business and authorized by the Department Head may drive or operate County vehicles or equipment.
- 6.1.3. No County Employee shall be permitted to drive or operate any County-owned vehicles or equipment until they have received a copy of the Vehicle Use Policy, signed the Clinton County Vehicle Use Policy Acknowledgement form and, following review of their personal driving record, received notice that they are eligible to drive or operate county-owned vehicles and equipment.
- 6.1.4. County-owned vehicles are to be used for official business only with reasonable consideration for use for meals, while in the course of performing business on behalf of the County. Vehicles shall not be used for the convenience of the County Employee with regard to personal transportation needs or other non-business activities except as determined by the Department Head with concurrence of County Administration.
- 6.1.5. Alcoholic beverages and illegal drugs are not permitted in County vehicles at any time. Law enforcement personnel, as approved by the Sheriff, may transport alcoholic beverages or drugs that have been lawfully confiscated or scheduled for use during training exercises.
- 6.1.6. Drivers shall observe all local and state ordinances pertaining to the operation of motor vehicles. Fines imposed for operator violations shall be the responsibility of the driver.
- 6.1.7. Hitchhikers are expressly prohibited from riding in County owned vehicles. However, individuals not associated with Clinton County government may accompany a County Employee as a passenger in a County vehicle in the following circumstances, when prior approval has been obtained:
- 6.1.7.1. When the passenger(s) and County Employee have a mutual work-related business interest in the travel and the passenger(s) is (are) covered by employer's workmen's compensation.
 - 6.1.7.2. When the County Employee is transporting individuals in which Clinton County has a custodial or operational interest in relocating (i.e., Sheriff's Office detainees or County Jail inmates, Juvenile Court youth and family members, etc.).

6.1.8. Overnight Use:

- 6.1.8.1. County Employees may be granted overnight use of a county-owned vehicle after satisfying one of the following situations:
 - 6.1.8.1.1. A County Employee subject to frequent after-hours emergency callback or other unscheduled work, and such unscheduled work involves the first response to a real or present threat to life or property requiring an immediate response, may be granted routine overnight use of a County vehicle.
 - 6.1.8.1.2. A County Employee participating in the Clinton County carpool program who has lost his/her ride home due to an illness or other emergency may be granted temporary overnight use of a County vehicle.
 - 6.1.8.1.3. A County Employee attending an out-of-area approved work related training program may be granted temporary overnight use of a County vehicle.
 - 6.1.8.1.4. Other work-related situations may warrant consideration for overnight use of a County vehicle. Requests will be considered on the requirements of the job, productivity, availability of County vehicles and County cost.
- 6.1.8.2. County Employees currently authorized overnight use of a county-owned vehicle are listed by position:
 - 6.1.8.2.1. Sheriff
 - 6.1.8.2.2. Undersheriff
 - 6.1.8.2.3. Sheriff Office Detectives
 - 6.1.8.2.4. Building and Grounds Director
 - 6.1.8.2.5. Drain Commissioner (Seasonal only)
- 6.1.8.3. Additions to the above authorized list shall be approved by County Administration upon recommendation of the Elected Official/Department Head.
- 6.1.8.4. For a County Employee to be authorized for the take-home use of a County-owned vehicle, the County Employee must possess a valid Michigan's driver's license and maintain a safe driving history.
- 6.1.8.5. Assignments are not permanent. When priorities or circumstances have changed, vehicles should be reassigned. All route overnight vehicle assignments must be reviewed and evaluated by the Elected Official/Department Head and approved by County Administration annually beginning January 1st.

- 6.1.8.6. Vehicles so assigned are not intended to be perceived as personal property or interpreted as a salary supplement, fringe benefit or compensatory measure of any kind.

6.2. **Employee Personal Vehicles**

- 6.2.1. It is the policy of the County to reimburse its employees, elected officials, and appointed officials for personal travel and transportation expenses directly related to official business of the County. All travel costs will be paid directly to the individual incurring the expense and may not be billed to the County without prior approval of the Department Head or County Administration. Additional information on employee use of personal vehicles is found in the "Travel and Conference Reimbursement Policy" found in the County Policy and Procedures Manual.
- 6.2.2. County Employees may request authorization to use their personal vehicle for County business by completing the *Authorization to Use Privately Owned Vehicle on Clinton County Business* form and submitting the form to their Department Head.

6.3. **Driver Responsibilities / Requirements**

- 6.3.1. Drivers of County owned vehicle must have a valid Michigan drivers/operator's license; such license shall be in the County Employee's personal possession whenever they drive County-owned vehicles or drive their own personal vehicle while on County business. A County Employee who drives a County vehicle shall immediately inform his/her supervisor of loss of a valid driving license due to suspension, revocation, or expiration. Failure to comply may result in discipline up to and including dismissal.
- 6.3.2. Michigan Department of State (MDOS) *Driving Record Subscription Service* - This free MDOC service provides enrolled municipalities with an initial driving record for each County Employee enrolled in the program and a notification record whenever there are any violations, restrictions, suspensions, or revocations posted to their record, or an annual record if there has been no activity within the previous twelve months. The Clinton County Payroll/Personnel Coordinator shall establish and maintain the *Driving Record Subscription Service* to monitor County Employee driving records.
- 6.3.3. Applicant Screening Guide – Conviction of law violations or civil infractions may serve as a basis for employment disqualification. The applicant's total record will be evaluated; the applicant must have at least two years of documented driving experience.

6.3.3.1. *The following circumstances are cause for automatic employment disqualification:*

6.3.3.1.1. Conviction of a driving-related felony.

6.3.3.1.2. Loss of driving privilege through suspension or revocation of license due to an unsatisfactory driving record as defined by the Michigan Department of State.

Exception: Applications from those who maintain a driving record free of license suspension or revocation and moving violation conviction(s) or civil infraction determination(s) in the five years previous to making application shall be accepted.

6.3.3.1.3. An at-fault accident resulting in a fatality (an at-fault accident is defined as one in which the applicant has been fined, sued, and received an adverse judgment, applicant's insurance company settled for damages to other party, or applicant settled out of court or otherwise was determined to be liable).

6.3.3.2. *In the five year prior to application, the following circumstances are cause for automatic disqualification:*

6.3.3.2.1. Accumulated more than six points on the driving record.

6.3.3.2.2. Convicted of any alcohol/drug related offense.

6.3.3.2.3. Convicted of driving while license was suspended or revoked.

6.3.3.3. *In the year prior to application, the following circumstance is cause for automatic disqualification:*

6.3.3.3.1. Accumulated more than three points on the driving record.

6.3.4. County County Employees, who drive vehicles with a gross vehicle weight rating (GVWR) of 10,000 pounds or more or a vehicle carrying sixteen (16) or more passengers, must have a valid Michigan chauffeur license. County Employees who drive vehicles with a GVWR of 26,000 pounds or more, with or without a trailer, must have a valid Commercial Drivers License (CDL).

6.3.5. County Employees are responsible for any vehicle or equipment assigned to them and must report unsafe operations or working conditions to their supervisor as soon as possible. The County Employee shall not be reimbursed for any loss of equipment or damages to a vehicle caused by the County Employee's negligence.

- 6.3.6. County Employees shall observe all local and state ordinances pertaining to the operation of motor vehicles. County Employees shall allow sufficient time to reach destinations without violating speed limits or traffic laws. County Employees must know and abide by all driving laws in all areas where they operate County vehicles and shall drive defensively at all times.
- 6.3.7. It is mandatory that all occupants of a County vehicle use seat belts at all times. The driver of the vehicle is responsible for enforcing belt usage by all occupants and shall report any failure to comply with County Employee's supervisor.
- 6.3.8. The County will not pay traffic tickets or parking fines of County Employees driving County owned vehicles, nor will the County pay if the County Employee is authorized to use their personal vehicle on County business. County Employees found guilty of moving violations may be subject to corrective action. A County Employee receiving a moving violation while driving a County vehicle has an obligation to immediately inform their Department Head.
- 6.3.9. County Employees are prohibited from operating a County vehicle or personal vehicle on County business when their driving ability has been impaired for any reason, including but not limited to the ingestion of drugs, medication, or alcoholic beverages, physical impairment or restrictions; or other situations/conditions within the County Employee's control. Any illegal use of controlled substances is strictly prohibited. Additionally, a County Employee shall not operate a County vehicle or a personal vehicle for County business while taking prescription or over-the-counter medications where the County Employee knows or reasonably should have known that such use may impair his or her working abilities or create a risk of harm to himself or herself, others or County property.
- 6.3.10. County Employees shall abide by the County's Cell Phone Policy when operating any vehicle for County business.

6.4. Insurance of Vehicles

- 6.4.1. County Administration is responsible for maintaining adequate liability and collision coverage for all county-owned vehicles.
- 6.4.2. The County's insurance is in force when a County Employee operates County-owned vehicles or equipment.
- 6.4.3. A County Employee authorized to drive a personal vehicle for county business shall acquire and maintain personal liability insurance coverage on the employee-owned vehicle in at least the minimum amounts required by Michigan State law (\$20,000 for a person who is hurt or killed in an accident; \$40,000 for each accident if several people are hurt or killed; \$10,000 for property damage per accident). Proof of insurance must be presented upon request. If involved in

an accident while on County business, the County Employee's personal automobile insurance will be primary in the event of a loss. County insurance coverage is only applicable if the liability exceeds the personal liability insurance coverage. It is suggested that collision insurance sufficient to cover the reasonable value of the personal vehicle, less a standard deductible, also be carried. County insurance does not cover loss or damage to the personal vehicle or private insurance deductible.

6.4.4. Property belonging to Clinton County placed inside a county-owned vehicle is covered by the County's insurance against theft; however, a County Employee's personal property is not covered if stolen from a County-owned vehicle, even if the personal property is used for County business. *The following procedures shall be followed if a county-owned vehicle or equipment is stolen:*

6.4.4.1. Report the theft immediately to Central Dispatch/911 and the County Administration office.

6.4.4.2. Complete an incident report that includes vehicle information, the date and time, if known, and location of where the theft occurred and all relevant information including a list of county property known to have been inside the vehicle. Provide a copy of the incident report to the responding police agency, the Elected Official/Department Head and County Administration.

6.4.4.3. The Elected Official/Department Head shall obtain a copy of the police report(s) as soon as it becomes available and forward the report(s) to County Administration.

6.5. **Maintenance of Vehicles**

6.5.1. County Employees are responsible for periodic inspection of their assigned County-owned vehicles. Scheduling of routine maintenance and repairs is the responsibility of the County Employee to whom the vehicle is assigned.

6.5.2. Individual departments are responsible for monthly inspections of unassigned vehicles and scheduling routine maintenance and repairs.

6.5.3. No alterations may be made to County-owned vehicles without prior approval of the Department Head or County Administration.

6.5.4. No bumper, window or body stickers, other than the County approved door logo, may be placed on vehicles.

6.5.5. Departments are responsible for maintaining accurate and complete maintenance records for assigned vehicles. It is the responsibility of the County Employee with assigned vehicles and the department for unassigned vehicles to provide the Accounting Office with invoices for maintenance and/or repairs.

6.6. Accident Procedures

(Note: A card describing 'What To Do In Case of An Accident' is maintained in the glove box of all County owned vehicles)

- 6.6.1. Regardless of the situation, the following procedure MUST be followed in the event of an accident involving a County owned vehicle:
 - 6.6.1.1. Immediate notification of the proper law enforcement agency for accident investigation. Immediate notification of the County Employee's Department Head.
 - 6.6.1.2. Notification of County Administration Office within 24 hours of the accident, so the insurance carrier can be notified. If necessary, complete an injury report and submit to County Administration Office as soon as possible in order to file a workers' compensation claim within 24 hours of accident.
 - 6.6.1.3. Complete *What To Do In Case of An Accident* form located in the glove box of all County owned vehicles and submit to Department Head. Department Head will forward to County Administration Office.
- 6.6.2. Securing accident repair estimates and approval of actual repair work is the responsibility of the County Employee's department with assistance from County Administration.
- 6.6.3. **Post-Accident Substance Abuse Testing** – County Employees involved in an accident or incident in which there is, or reasonably could have been, personal injury or property damage will be considered for testing. Not every incident or injury may result in a test. Reasonable determination that action or inaction of the County Employee contributed to the incident or accident shall be made prior to a request for testing. While it is impossible to list every factor that might lead to a reasonable determination the Department Head and County Administration may review each accident or incident on a case-by-case basis to determine if a substance abuse test is necessary.

6.7. Discipline

- 6.7.1. The County may, in its sole discretion, revoke a County Employee's driving responsibilities or take other disciplinary action, up to and including termination, against a County Employee who violates any provision of this policy.
- 6.7.2. The County is under no obligation to transfer an offending County Employee to a non-driving position, even if one is available.

7. Administrative Procedures

The Clinton County Board of Commissioners may authorize changes and/or adjustments to the Vehicle Use Policy.

8. Administrator/Legal Counsel Review

The County Administrator has determined that this policy as submitted to the Board of Commissioners contains the necessary substance in order to carry out the purpose of the policy. The County Civil Counsel has determined that this policy, as submitted, contains content that appears to be legal activities of the Clinton County Board of Commissioners.

Board of Commissioners adoption: January 31, 2012



COUNTY OF CLINTON

COUNTY ADMINISTRATION

100 E. STATE STREET, ST. JOHNS, MI 48879
(989) 224-5120; Fax (989) 224-5102

Clinton County Vehicle Use Policy Acknowledgement

I have read and fully understand the Clinton County Vehicle Use Policy and what is expected of me as a Clinton County Employee. I further understand the responsibilities I have for the County-owned vehicle that has been issued me and agree to abide by the policy.

Signature of County Employee

Printed Employee Name

Signature of Elected Official/Department Head

Date



COUNTY OF CLINTON COUNTY ADMINISTRATION

100 E. STATE STREET, ST. JOHNS, MI 48879
(989) 224-5120; Fax (989) 224-5102

Authorization to Use Privately Owned Vehicle on Clinton County Business (This approval must be renewed annually)

I. Certification

I acknowledge and in accordance with the Clinton County Vehicle Use Policy approval is requested to use privately owned vehicles to conduct official County business.

I *herby certify that*, whenever I drive a privately owned vehicle on County business, I will have a valid driver's license and proof of liability insurance in my possession, all persons in the vehicle will wear safety belts and the vehicle shall always be:

1. Covered by liability insurance for the minimum prescribed by State of Michigan Law (\$20,000 for a person who is hurt or killed in an accident; \$40,000 for each accident if several people are hurt or killed; \$10,000 for property damage per accident).
2. Adequate for the work to be performed.
3. Equipped with safety belts in operating condition.
4. To the best of my knowledge, in safe mechanical condition as required by law.

I understand that the mileage rate I claim is full reimbursement for the cost of operating the vehicle, including fuel, maintenance, repairs and both liability and comprehensive insurance.

I *further certify that*, while using a privately owned vehicle on official County business, all accidents will be reported on the *Motor Vehicle Accident Report*, as required by the Vehicle Use Policy.

I understand that permission to drive a privately owned vehicle on County business is a privilege which may be suspended or revoked at any time.

DRIVER'S LICENSE NUMBER	STATE, IF OTHER THAN MICHIGAN	EXPIRATION DATE
EMPLOYEE SIGNATURE	PRINT NAME	DATE SIGNED

II. Approval – Use of a privately owned vehicle on County business is approved.

DEPARTMENT HEAD SIGNATURE	TITLE	DATE APPROVED
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COUNTY OF CLINTON COUNTY ADMINISTRATION

100 E. STATE STREET, ST. JOHNS, MI 48879
(989) 224-5120; Fax (989) 224-5102

Intern Release and Waiver of Liability

You Must Read and Sign This Waiver. All interns for Clinton County (the "County"), regardless of age, must read and sign this Intern Release and Waiver of Liability before performing any internship work. If you are under 18 years of age, your parent or legal guardian must also read and sign this waiver.

College/University Requirements. The County understands that your internship service is intended to satisfy a college or university requirement. Therefore, the County will strive to help you achieve the best internship experience possible. However, it is your responsibility to fulfill the requirements of your internship. In addition, it is your responsibility to notify the County about all applicable College/University requirements in advance of the start of your internship. The County is not responsible for your failure to fulfill College/University requirements.

Volunteer Status. As an intern, you acknowledge that any duties you perform for the County are without expectation of compensation. [Notwithstanding, the County will offer you a stipend of \$___ per (week/day/month) in consideration of your efforts. Such stipend is strictly voluntary on the County's part and you agree that it is not in exchange for any particular service you may perform.] The County has the right to investigate whether you are a suitable intern, including the right to perform a criminal background check. The County reserves the right to reject any candidate for internship based upon the results of its investigation. In addition, the County reserves the right to terminate your internship if you engage in misconduct or fail to perform the duties to which you are assigned, as determined by the County in its sole discretion.

Duties of Interns. Interns assist with various aspects of our operations. Tasks include, but are not limited to, [Insert as appropriate. Example: park maintenance, cleaning, and upkeep, using power equipment, performing manual tasks, working outdoors, giving facility tours, discussing our facilities with members of the public, using tools, travelling in vehicles, using computers, and monitoring guests.]

Assumption of Risk. You understand that your internship at the County puts you at some risk of being injured or suffering damages. Even though you know you could be injured or suffer damages as an intern, you hereby acknowledge that you are willing to be an intern at the County. You hereby release the County and its officers and employees from any and all claims that may arise, including but not limited to any expenses, personal injuries, losses, or damages that you may suffer as a County intern. You knowingly and freely release, or give up, any legal claim that you might have against the County and agree that this release will be binding on you and your legal representatives or anyone else who tries to bring a claim through you or on your behalf.

Safe Conduct. You agree to use work tools safely and according to instructions you receive, and that you will seek assistance if you do not know how to do something. You agree to behave in a responsible manner. You will only perform work that you feel you can accomplish safely. You agree to wear clothes and footwear that is appropriate for your duties and the work conditions. You agree to wear protective gear as necessary to safely perform your volunteer duties. You agree to report any unsafe condition that you encounter to a County official.

Medical Treatment. You hereby release the County from any claim or liability which arises or may arise on account of any first aid, treatment, or service rendered, or not rendered, in connection with your duties as a County intern, or with the decision by any County affiliate, agent, officer, or employee regarding any first aid, treatment, or service rendered, or not rendered. You understand that the County does not carry or maintain health, medical, or disability insurance coverage for any intern and that you will be responsible for any medical costs that might arise due to your participation as a County intern.

Photographic Release: You grant the County permission to photograph, film, and create videos of you for promotional or other uses, including use on its web site(s).

Other: You understand and agree that this Volunteer Release and Waiver of Liability form is intended to be as broad and inclusive as is permitted by the laws of the State of Michigan. You further agree that if any clause or provision shall be held invalid by any court of competent jurisdiction, the invalidity of such clause or provision shall not otherwise affect the enforceability of the remaining provisions.

<i>I have read this Intern Release and Waiver of Liability and by signing below I agree to all of its terms.</i>	
Intern's Name (please print): _____	
Intern's Signature of Agreement: _____	Date: _____
Are you under the age of 18: Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, Parent/Legal Guardian's Name (please print): _____	
Parent/Legal Guardian's Signature: _____	Date: _____

Emergency Contact Information (1)	Emergency Contact Information (2)
Name: _____ (please print)	Name: _____ (please print)
Telephone Number(s): _____	Telephone Number(s): _____
Relationship: _____	Relationship: _____



COUNTY OF CLINTON COUNTY ADMINISTRATION

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“What To Do In Case of An Accident”

Regardless of the situation, the following procedure MUST be followed in the event of an accident while in a County-owned vehicle:

1. Stop immediately and investigate even when the accident appears to be minor.
2. If someone is hurt or if there is danger of a fire, call 911 to request assistance (i.e. Law Enforcement, Fire Department, Ambulance, Rescue Squad)
3. Make no express or implied admission or liability or fault. Do not make an expression of apology or sorrow.
4. Immediately notify supervisor or Department Head.
5. Make written notes of the details of the accident while at the scene. Do not wait until later.
6. Do not give information concerning the accident to anyone unless the party requesting it is an authorized official (i.e. Deputy, Sheriff, Supervisor, etc.).
7. Do not discuss the accident with insurance agents, news personnel, adjusters or attorneys on behalf of any third party without express permission from the County Administration Office.
8. Complete the Motor Vehicle Accident Report with supervisor or Department Head.
9. All Accident Reports shall be submitted to County Administration Office within 24 hours of the accident.
10. Notify County Administration (989) 224-5120 within 24 hours of the accident, so the insurance carrier can be notified.
11. If necessary, an injury report must be completed and submitted to County Administration Office as soon as possible in order to file a workers' compensation claim within 24 hours of the accident.



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MOTOR VEHICLE ACCIDENT REPORT

THE INJURED PERSON

Name (s): _____

Phone #'s: _____

Address: _____

Nature of Injuries: _____

Where Taken After Accident: _____

By Whom: _____

Attending Physician: _____

Address: _____

DAMAGE TO PROPERTY OF OTHERS

Name of the Owner: _____

Phone #: _____

Address: _____

Nature of Damage: _____

If a vehicle, give name of driver: _____

Address: _____

Driver's License # (including State): _____

Make/Model of Vehicle: _____

Other Insurance Carrier: _____

WITNESSES

Give Names and Addresses: _____

